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February 15, 2006

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Board of Patent Appeals and Interferences
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Re: SN 09/484,964 entitled "COMPOSITION AND USES FOR A NOVEL CELL-
DEATH-PROTECTING PROTEIN" by Edward T.H. Yeh
Appeal No. 2006-0706

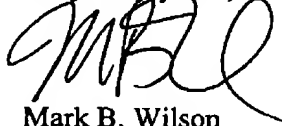
Dear Sirs:

Applicant submits herewith a copy of the Notice of Hearing in regard to the above-referenced case in which Applicants waive attendance of the hearing.

Additionally, Applicants take this opportunity to inform the Board of Patent Appeals and Interferences that, contemporaneously with the forwarding of this communication, Applicants are filing a Request for Continued Examination and Submission under 37 C.F.R. § 1.114 in regard to the above-referenced case. Therefore, the Board need make no further consideration nor take any further action in regard to this matter.

Thank you for your attention to this matter. Please do not hesitate to contact me should you have any comments, questions, or suggestions.

Very truly yours,



Mark B. Wilson

MBW/ddr
Enclosure

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Appeal No: 2006-0706
Appellant: Edward T. H. Yeh
Application No: 09/484,964
Hearing Room: B
Hearing Docket: A

FULBRIGHT & JAWORSKI LLP
AUSTIN, TEXAS

Hearing Date: Tuesday, April 25, 2006
Hearing Time: 01:00 PM
Location: Madison Building - East Wing
600 Dulany Street, 9th Floor
Alexandria, Virginia 22313-1450

JAN 31 2006

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NOTICE OF HEARING
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

MAILED

JAN 25 2006

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address: BOARD OF PATENT APPEALS AND INTERFERENCES
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: () HEARING ATTENDANCE CONFIRMED (X) HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

Date

Registration No.

Names of other visitors expected to accompany counsel:

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
http://www.uspto.gov/web/offices/dcom/bpai/docs/contacts/contact_info.htm